IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 29TH OCTOBER 2007 / 7TH KARTHIKA 1929

WP(C).No. 9980 of 2006(K)

PETITIONERS:
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1. IDUKKI DISTRICT PRIVATE BUS OPERATORS ASSOCIATION, HIGH RANGE REGION UNIT, KATTAPPANA, IDUKKI DISTRICT, REPRESENTED BY ITS PREISDENT K.K.BINUMON.

2. K.S.MATHEW, S/O.SKARIA, KARAKUNNU HOUSE, KATTAPPANA, IDUKKI DISTRICT.

BY ADV. SRI.G.HARIHARAN
SRI.PRAVEEN.H.

RESPONDENT:

KUMILY GRAMA PANCHAYATH KUMILY, IDUKKI DISTRICT, REPRESENTED BY ITS SECRETARY.

BY ADV. SRI.S.SHANAVAS KHAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 29/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

KSS

WPC.NO.9980/2006 K

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P1: **COPY OF THE NOTICE DTD. 15/03/06 PUBLISHED BY THE RESPONDENT.**

EXT.P2: **COPY OF THE BUS STAND TOLL FEE RECEIPT ISSUED BY THE KUMILY GRAMA PANCHAYAT ISSUED ON 29/03/06 RELATING TO BUS NO.KL-6/3663.**

EXT.P3: **COPY OF PHOTOGRAPHS SHOWING THE SCATTERED WAY OF PARKING BUSES AT KUMILY EVEN WITHOUT PROVIDING FOR A BUS BAY.**

1ST RESPONDENT'S EXHIBITS:

EXT.R1(A): **COPY OF THE NOTICE DTD. 20/02/2006 GIVEN TO THE 1ST PETITIONER BY THE RESPONDENT.**

EXT.R1(B): **COPY OF THE REPLY DTD. 31/03/2006 FILED BY PETITIONER ASSOCIATION.**

/TRUE COPY/

P.A.TO JUDGE

KSS

PIUS C. KURIAKOSE,J.

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W.P.(C) No.9980 of 2006

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Dated: 29th October, 2007

JUDGMENT

The petitioners have statutory remedy by way of appeal to the Panchayat Committee against the decision of the Secretary of the Panchayat to collect bus stand toll fee at the rate of Rs.10/- per day per vehicle. I dispose of the Writ Petition relegating the petitioners to that remedy. Considering the above direction, the interim order passed by this court permitting the Panchayat to collect bus stand toll fee at the rate of Rs.6/- per day per vehicle will continue for a period of three more months from today.

srd **PIUS C.KURIAKOSE, JUDGE**